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Immigrants in detention

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1 INTRODUCTION

Like many other countries in Western Europe, the Netherlands is faced with a problem of minorities and aliens. Inhabitants of the former overseas territories, guest workers and other migrants came to the country in large and small numbers beginning in the sixties, and most of them are expected to remain here. As a result of these migrations the legal system is having to deal with increasing numbers of immigrants. This is particularly true of the penal institutions, which are populated to a disproportionate extent with members of various immigrant groups. This causes major problems in the daily life of the prisons for both the institutions and the prisoners.

A few studies have recently been carried out, principally into the problems of immigrant prisoners in Dutch penal institutions. The problems of the institutions themselves with their mixed populations have also been considered. The present paper summarises the findings of these surveys, in sections 4-7. Section 1 provides readers with some background information on immigrants in the Netherlands; section 2 contains a brief survey of the numbers of immigrants coming into contact with the law. The paper concludes with a brief discussion (section 8).

2 IMMIGRANTS IN THE NETHERLANDS

Before considering the position of immigrants in the legal system in general and those in detention in particular, a brief account of immigrants in the Netherlands and the government's policy on the matter is called for. By immigrants we mean aliens and members of ethnic minorities.

By ethnic minorities we mean members of non-native populations resident in the Netherlands and suffering social and economic deprivation. To obviate continual discussions on the question of who this includes, the government has made a limitative list of these groups (summarised in table 1).

Table 1 Ethnic minorities as defined by Dutch policy¹

Estimates as of 1/1/81	
Mediterranean workers and their families	296,700
Migrants from the Antilles and their descendants	38,860
Migrants from Surinam and their descendants with Dutch citizenship and Surinamese citizenship	117,600
Moluccans and their descendants	40,000
Refugees (arrived since 1975)	10,000
Gypsies (foreign and Dutch)	3,000
Total	566,160
Other aliens	200,000
¹ This definition does not coincide systematically with the nationality or country of birth criterion. Source: R. Penninx, Sopeni - The Netherlands, 1983.	

By aliens is meant persons not possessing Dutch nationality. It is clear that the two definitions overlap to some extent. Turks and Moroccans resident here are both aliens and members of ethnic minorities, for example. Turks and Moroccans not resident here (but for instance detained here) are aliens but not members of ethnic minorities. Surinamese with Dutch nationality are members of ethnic minorities but not aliens. Western Europeans and Americans living in the Netherlands are aliens but not members of ethnic minorities, and so on.

The largest and most important group of ethnic minorities comprises those known as "guest workers" and their families.⁰¹ Their numbers have been estimated at 296,700 as of 1 January 1981 and 323,300 as of 1 January 1984. Guest workers were encouraged to come and work in Dutch industry during the economic boom. The first came in the late fifties and early sixties; these were mainly Italians, Spanish and Greeks. Later much larger (and culturally more different) groups came from Turkey and Morocco. Recruitment of guest workers was halted in about 1973. Against the original expectation of both the Dutch government and the guest workers themselves, many did not return to their own countries; they stayed in the Netherlands and brought their families here. It is presumed that this reunification of families is now virtually complete. A second large group of ethnic minorities comprises inhabitants of the former Dutch colony of Surinam (Dutch Guiana in South America) and the Netherlands Antilles (Caribbean). They came to the Netherlands not as guest workers but for educational, social, economic or political reasons (or a combination of these). Most of them came in the seventies; the granting of independence to Surinam (1975) caused various "waves" of immigrants to move here. After 1980 migration between Surinam and the Netherlands became more difficult; no more large influxes are now expected. The Netherlands Antilles for the time being still form part of the Kingdom of the Netherlands. Whether more large influxes of Antillean immigrants are likely to take place in the future is not known.⁰² Since registration by race does not exist in the Netherlands, and probably will not be introduced (there is considerable opposition to the idea), the total number of Surinamese

accordingly to remove deprivation (make facilities accessible and allow equal participation in them - a fair share) and to combat discrimination.

3 IMMIGRANTS AND DETENTION

The Dutch legal system has had to deal with increasing numbers of immigrants in recent years.⁰¹ This growth has been due to a number of completely different causes.

First, there is the fact that the general level of crime in the Netherlands - as in various other Western countries - has risen sharply during the last ten years.⁰² The number of reports made to the police has trebled and the number of cases brought to court doubled. This trend was until recently even stronger in the large cities.⁰³ It is not surprising, then, that more immigrants - in absolute terms - have had brushes with the law.

Second, the proportion of the overall population represented by immigrants has risen, which has similarly led to large numbers of immigrants in the penal system. To this must be added that immigrants are relatively strongly represented in the large cities, where the level of crime has been higher. The specific age mix (various immigrant groups at present have a relatively high percentage of young people) has no doubt also had an effect, as have social and economic deprivation and the problems of the second generation.

Whatever the case, the fact is that whereas in about 1970 the suspects in 8-10% of all court cases were immigrants, the percentage rose to 19 in 1980 (see fig. 1).

While the percentage of immigrants in court cases is approaching 20, that of immigrants in penal institutions is much higher. This is due both to sentencing and to the pattern of crime.

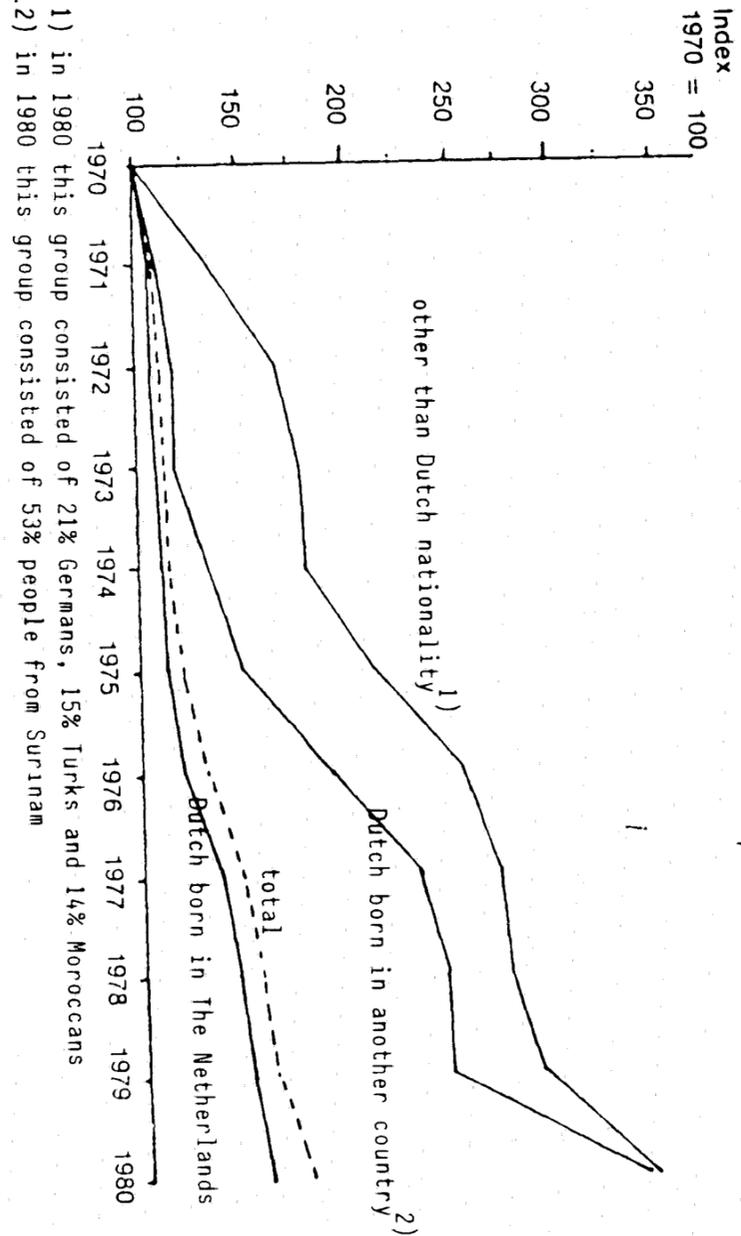
As regards sentencing, surveys carried out in the seventies pointed to a number of differences between aliens and Dutch.⁰⁴ In general, sentences on aliens are more severe than on Dutch offenders. On the other hand, less serious cases against aliens are more likely to be dropped, especially if the alien in question has no legal right to be in the country, in which case he is deported.

The heavier sentencing of aliens is due to two factors. First, aliens are more often placed in pre-trial detention because of the risk of escape; in the less serious cases this can result in slightly longer sentences. Second, the crimes of aliens are more often drugs or firearms offences or crimes of violence; consequently the proportion of long prison sentences imposed on them is higher.

Immigrants are "fairly well represented" when it comes to drugs offences. The nature of these can however differ considerably. The impression is that there is a relatively high proportion of dealers in hard drugs among the Turkish convicts and of dealers in soft drugs among the Moroccans. The Surinamese are often small dealers/users. Drug-taking and the associated crime occur among the second generation Moluccans. The proportion of crimes of violence among Turkish suspects and, to a lesser extent, Moroccan suspects, is relatively high. This is no doubt related to political questions and cultural differences (matters of honour) to some extent.

The proportion of road traffic offences, on the other hand, is lower among the various immigrant groups than among the Dutch.

Fig. 1 Development of the number of offences (sentenced and waived) of Dutch and other nationalities from 1970 to 1980



4 IMMIGRANTS IN DETENTION

Owing to both larger numbers of convicted prisoners and longer sentences the number of prisoners with a non-Dutch background in the penal institutions is considerable. According to a census in 1981⁰¹ over 20% of prisoners were not Dutch nationals. It is estimated, furthermore, that prisoners with Dutch nationality but a different cultural background account for another 20% of the prison population. Of the foreigners about a quarter come from Western European countries, the USA, Canada and Australia; the remainder are from all over the world. A total of about 60 different nationalities have been recorded. The distribution among the penal institutions is not even. High concentrations of immigrants are found particularly in the long-term prisons and the remand centres in the west of the country, as well as in a few towns in the south. The concentrations in the remand centres correspond to the regions where large numbers of immigrants live. Research in the long-term prisons indicates that over half their population is in the aliens and ethnic minorities group (see table 2a).

Table 2a Ethnic mix in long-term prisons (Rook, 1982)

	no.	%
Dutch	195	43.3
Dutch nationality, non-Dutch background	107	23.8
Aliens	117	32.9
Total	450	100

A survey carried out in the Rotterdam remand centre produced the same picture. One of the things the survey looked at, on two occasions (with a six-month interval), was the population mix. On both occasions it was found that over half the prisoners belonged to the aliens and ethnic minorities group (table 2b).⁰²

Table 2b Ethnic composition of remand centre in Rotterdam (Grapendaal, Van der Linden and Rook, 1984)

nationality and cultural background	survey I		survey II	
	no.	%	no.	%
foreigners	59	28.6	65	30.5
Dutch nationals with non-European background	47	22.8	56	26.3
other Dutch nationals	100	48.5	92	43.2
total	206	100	213	100

Given these figures it need come as little surprise that both the immigrants themselves and the prison staff are often faced with particular problems.

An initial study of these problems was carried out in 1976 at the request of the United Nations Social Defence Research Institute (UNSDRI).⁰³ Although even then there were already Surinamese, Antilleans and Moluccans present, the study - at UNSDRI's request - dealt only with aliens.

The results showed that the language problems were regarded as particularly important. Firstly, the fact that people cannot understand one another causes all sorts of complications. Secondly, the language problems give rise to misunderstandings, suspicion and, consequently, aggression. Many foreigners felt discriminated against, for instance. According to the staff this feeling was however caused by the language problems and the resulting misunderstandings. Indeed, those who had a better grasp of the language (and had been longer in the Netherlands) complained less about discrimination. There is also a danger of foreigners becoming isolated, particularly those with few if any fellow

countrymen (or language speakers) in the institution. The lack of contact with the outside world (family and friends, but also official bodies such as the aftercare service) was another problem mentioned. Lastly, there were complaints about the food.

In the late seventies and early eighties more attention was given to the ethnic minorities, in the prison system as elsewhere. Whereas previously the problem above all of "aliens" had been recognised, now it was realised that ethnic minorities were also involved, i.e. prisoners who as often as not were resident in the Netherlands, many of whom would remain here after serving their sentences.

Two new studies were undertaken in the early eighties, therefore. The first project was concerned with the largest ethnic minority groups in detention, viz. the Turks, Moroccans and Surinamese. This study was a direct result of the government's new policy on minorities. In-depth interviews were held with 36 Turks, 21 Moroccans and 48 Surinamese in six penal institutions. The interviews were conducted by Dutch nationals who spoke and understood the languages in question fluently. In addition 121 members of staff from the same institutions, occupying different posts and practising different disciplines, were questioned.⁰⁴

The second project was concerned with a smaller group of Moluccans. This study was carried out at the instigation of the Moluccan Welfare Agency, one of the most important Moluccan organisations in the Netherlands. The Agency received signals to the effect that Moluccans were not faring well in detention: they were said to have insufficient opportunity to experience their own culture and identity (an internationally recognised right). A working party consisting of Moluccan representatives and researchers from the Ministry of Justice was consequently asked to conduct a limited preliminary study. To this end 17 Moluccan prisoners were questioned in great detail by Moluccan students/interviewers.⁰⁵ We present a few of the findings of these projects below.

5 TURKS AND MOROCCANS IN DETENTION

Since the experiences of Turks and Moroccans in detention share a number of common features, we shall discuss these two groups together here.

A total of 36 Turks and 21 Moroccans were involved in the survey. Of these 57 respondents, 44 were resident in the Netherlands, and were thus members of the ethnic minorities; four of them were illegal immigrants. The remaining 13 had come to the Netherlands as "tourists", "businessmen" or some such thing. Most of those who were resident here had been here for five years or more. Their ages were relatively high by Dutch standards; most of them had relatives in the Netherlands. We shall briefly discuss the main problems of Turks and Moroccans in detention below.⁰¹

a) Problems with rights of residence and deportation

One of the most serious problems for Turks and Moroccans is whether they will be permitted to remain in the Netherlands once they have served their sentences or whether they will be deported. Those not resident in the Netherlands are always deported once the sentence is completed. In the cases of residents of the Netherlands a separate decision is made in each case. This decision follows a fairly complicated set of rules, which take into account the seriousness of the offence on the one hand and the length of residence in the Netherlands and the ties with Dutch society on the other. The prisoners' answers revealed a good deal of uncertainty as to what would happen once they had been discharged (see table 3).

Table 3 Problems of Turks and Moroccans in penal institutions
(Van Immerzeel and Berghuis, 1983)

Legal status	no.	%
Not legal residents	16	30
Residents: unsure (or will be sent away)	21	39
Residents: think they may stay	17	31
Total	54	100

To some extent this is unnecessary. It was patently clear what would happen to at least 15 respondents who said they did not know whether they would be allowed to remain in the Netherlands. Six of them had come here as tourists and would certainly be deported, and nine of them could not be deported because of the type of residence permit they held. Clearly, then, there is a lack of information and advice. This is due to two reasons. Firstly, the legal status of prisoners is often unknown in the prison because the Aliens Police have seized their papers. Secondly, the prison officials often lack knowledge of the highly complicated law on aliens.

In the case of another group, however, it is true that it is not immediately clear whether their residence will be terminated or not. In some cases it takes a very long time before a decision is taken.

Uncertainty about the future can give rise to serious tension. It is unclear, both for the prisoners themselves and for the prison officials, what future they should be preparing for. Is it worthwhile for these prisoners to take a Dutch course, for example? Should steps be taken to prepare for the return of the family? Such questions cannot be answered until the decision is known. Moreover, these prisoners are less eligible, if at all, for certain facilities such as interruption of sentence, parole and open or semi-open prisons until such time as it is certain that they will be able to remain in the Netherlands. On top of all this there is the fear harboured by some prisoners of what awaits them if they return to their native countries as ex-convicts.

b) Problems with language

Like the study by Mesman Schultz and Methorst mentioned earlier, this survey also revealed a major communication problem (see table 4).

Table 4 Problems of Turks and Moroccans in penal institutions
(Van Immerzeel and Berghuis, 1983)

Language: mastery of Dutch language	no.	%
None at all	9	16
Bad	15	26
Some	15	26
Rather good	18	32
Total	57	100

About a third of these prisoners could cope with Dutch reasonably well. It is striking that among those with little mastery of the language there were a number who had been living in the Netherlands for some time. As Mesman Schultz and Methorst had noted, poor mastery of the language can be a source of misunderstandings and suspicion. There are also very practical problems: prisoners have poor knowledge, if any, of the prison rules, and they do not know that certain facilities or events exist or are unable to take advantage of them (e.g. discussion groups).

c) Contacts

Understandably, those who are not resident in the Netherlands have little contact with people outside the institution. Those who do have their families in the Netherlands have a good deal of contact with them, by telephone (where possible), correspondence and visits. Social workers and prison governors are fairly often asked about the possibility of extra visits.

This need for contact is probably related to the central position occupied by the husband in Turkish and Moroccan families. His absence has a stronger dislocating effect on the family than it might in other

cultures, especially if there is nobody else to take over the role for the time being (brother, son).

It will be clear from what we have said about the language problems that contacts within the institution can also be inadequate. This applies both to contacts with fellow prisoners and with prison officials. In our survey loneliness and isolation were found particularly frequently among the Moroccans.

d) Religion

Almost all Turkish and Moroccan prisoners are Moslems. In general it may be said that the full exercise of Islamic religious practices is difficult to combine with normal life in a Dutch penal institution. The fasting during Ramadan, the prayers five times a day with the associated rites, and the special requirements concerning food are examples of requirements which can give rise to considerable problems. Since the Islamic world contains various movements, schools of law and sects, the extent to which believers are obliged to keep the commandments in prison varies. Consequently the problems are not equally serious for everyone. In some cases the prisons do in fact do their best to meet the needs (to some extent). Nevertheless most respondents said they did not have sufficient opportunity to practise their religion (see table 5).

Table 5 Problems of Turks and Moroccans in penal institutions
(Van Immerzeel and Berghuis, 1983)

possible to live according to religion? (all Moslems)	no.	%
yes	9	18
no	41	82
Total	50	100

e) Culture

Enough has already been said about language and religion, without doubt important elements of culture. At least as important is lifestyle. This is important not only because of the influence it can have but also because differences in lifestyle are in some respects invisible. If people cannot understand one another it is a nuisance, but at least the problem is obvious. If, on the other hand, two people interpret the same event in completely different ways, considerable misunderstandings can result, with consequent irritation and tension. The responses of both warders and prisoners indicated that there was a real difference in lifestyles. It is generally the custom of Turks, for instance, and particularly of Moroccans, to behave outwardly obediently in dependent relationships (which certainly exist in prison). Behind this apparent obedience, however, they will try "arrange" things and/or find a "patron" (protector). There will thus be attempts on their part fairly often to obtain something against the rules: rules, to them, are negotiable. To the warders, however, rules are rules; they call continual attempts to get round the regulations "nagging". Another problem is the assistance provided in the institution by the aftercare service and social workers, for instance. Since the study by Mesman Schultz and Methorst mentioned earlier this has in fact been considerably expanded in the case of immigrants. The problem, however, is that Turks and Moroccans are frequently suspicious of this assistance, firstly because it emanates not from relatives but from official bodies, and secondly because these are paid by the judicial system. Furthermore, they often have difficulty with the phenomenon of female aid workers.

We have dealt with Turks and Moroccans together in this section because there are a good deal of similarities in their problems. Nevertheless it must be realised that there can also be considerable differences. These can exist not only between Turks and Moroccans but also within each group. Political differences can of course be extremely important. There are also differences due to place of origin: the part of the country, town, rural area. Given that some prison officials, as it transpired, had difficulty distinguishing Turks from Moroccans, these

more subtle differences are likely to escape most of them completely. This certainly does not make conditions within the prisons any easier, and the staff will not always react, or be able to react, properly.

6 SURINAMESE IN DETENTION

Almost all Surinamese in the Netherlands have Dutch nationality, especially if they came here before 1980. Those who came after 1980 generally have Surinamese nationality; at present the number is very small. Consequently most Surinamese in the penal institutions are Dutch nationals: there are few problems with deportation and the like. The Surinamese prisoners we studied had generally been in the Netherlands for a fairly long time, the majority more than five years. Most of them have relatives in the Netherlands. The age mix is "normal" by Dutch standards; there are many unemployed among them. Among the crimes a good deal are drugs offences (generally possession); the sentences are fairly long.

Various ethnic groups occur among the Surinamese.⁰¹ The most important are the Creoles and the Hindustanis; then there are a few small groups, including Chinese and Javans. The Creoles are descended from the slaves who were taken captive in Africa from the mid-seventeenth century onwards and brought to Surinam - sometimes via another country. The Hindustanis are descended from contract labourers who were recruited in British India around 1900. The Creoles and Hindustanis each account for about 40% of the Surinamese population in the Netherlands. Most Creoles are Christians; the Hindustanis are generally Hindus or Moslems. Since the Creoles have lived in Surinam longer their influence on Surinamese culture is greater than that of the Hindustanis.

In our study the number of Creoles (26) was larger than that of Hindustanis (15). It is not clear to what group the remaining respondents (6) belong.

Since most Surinamese have received a Dutch or Dutch-oriented education (in Surinam), they have fewer problems of language and understanding than other groups. There are however problems regarding culture and lifestyle. The Hindustanis (like the Turks and Moroccans) find there is

not enough opportunity to practise their religion. Also, Hindustanis often feel lonely.

Creoles have different problems. Their relationship with the warders is fairly poor. Surinamese prisoners (especially Creoles) have an unfavourable opinion of warders. There are a good deal of complaints about discrimination - intentional or otherwise - on the part of the warders. It also emerges that many Surinamese (especially Creoles) have difficulty with the prison rules, which they find oppressive. Warders, for their part, say that the Surinamese are often lazy, noisy and aggressive. They are also afraid of groups forming, since they say that Surinamese are particularly difficult to handle in groups. They find the Creoles more troublesome than the Hindustanis. As with other ethnic groups, the warders do not like it if the prisoners speak their own language with one another; the impression, however, is that the Surinamese present a greater threat to the warders. This may have something to do with the fact that the warders believe that Surinamese could speak Dutch (to one another) and/or the general impression they make. Other studies have similarly found that the relationship between warders and Surinamese prisoners is regarded as problematic, both by the warders⁰² and by the Surinamese prisoners.⁰³ In any event it is clear that we have here a collision of two cultures: the warders adhere to the institutional culture, controlled by formal rules, whereas in Surinamese culture (as in some other cultures in Central and South America) rules are regarded much more as relative and not applied as strictly as is customary in the Netherlands.

Another set of problems, particularly for the Creoles, relates to care of the body. Surinamese take good care of their bodies,⁰⁴ they like to play sports and expect good sanitary arrangements. Their complaints are accordingly about the state of the latter, not enough opportunity to take showers, not enough clean underwear. They make frequent visits to the medical service, often with skin, back and muscle complaints. Here again the cultures collide: prison officials describe the Surinamese' complaints as exaggerated in many cases and the people themselves as petty.

The difference in culture also plays a part, lastly, in relations with other prisoners. Surinamese (like other groups) like to associate with members of their own ethnic group, but this need is curbed by fear of discrimination: although they like to associate with fellow countrymen they do not want too many Surinamese in a wing because they are afraid there would be discrimination. (Nor do the warders want this: they are afraid of groups forming.) Surinamese say they generally get on well with Dutch prisoners, but less well with Moroccans and Turks.⁰⁵ It is assumed that their relationship with Turkish prisoners is due (partly) to drug trafficking; the Turks, it is said, are the big dealers, the Surinamese the small dealers. According to the staff, the relationship between Surinamese and gypsies is very bad.

7 MOLUCCANS IN DETENTION

As mentioned in section 1, the Moluccans came to the Netherlands in the fifties. Those of them who are now in the penal institutions are virtually all - certainly far more than the other ethnic groups - second-generation. Most of them are under 30 and were born in the Netherlands.

Among the prisoners interviewed a number were convicted for offences connected with politically inspired acts of violence (e.g. the train-hijacking). Many of the others have been convicted for drugs offences and certainly all have a drug problem. There is a very high proportion of unemployed among the Moluccan prisoners. There are not, however, any real language problems: they all speak Dutch, although most of them prefer to speak Malay with one another; their reading is usually in Dutch. There are no problems with deportation; those who do not possess Dutch nationality are covered by a special law which entitles them to live in the Netherlands and be treated as Dutch citizens. As with the Surinamese, the problems of the Moluccan prisoners - where they exist - relate above all to culture and lifestyle.

It is striking that even the Moluccans often feel discriminated against. Here the complaints are directed not primarily at the staff, however, but at the other prisoners, particularly the Dutch. This is probably a repercussion of the violent campaigns of the seventies. Whereas after these campaigns the government and government officials made efforts - a certain guilty conscience having been pricked - to meet the needs of the Moluccans, the population continued to harbour suspicion and fear for a long time to come. Some Moluccan prisoners according have the feeling that their Dutch fellow inmates regard them as "people who run round with guns". This is all of a piece with the finding that the Moluccan prisoners questioned get on better with members of other ethnic groups than with the Dutch.

Another striking finding is how deeply involved the Moluccan prisoners

are with their own ethnic group. This involvement is expressed in various ways. Moluccans associate with one another a good deal in prison. They attach great value to contacts with relatives and friends. They also strongly prefer a Moluccan spiritual adviser and Moluccan social workers. Where possible they organise visits by Moluccan dance troupes and furnish themselves with Moluccan literature.

The survey creates the impression of a highly inward-looking group, to some extent protected against outsiders. The situation does not however seem to be very problematic.

8 DISCUSSION

It is clear from the foregoing that the situation of the Turks and Moroccans differs considerably from that of the Surinamese and Moluccans. It would not seem rash to presume that this difference is related to the distance from Dutch culture. Surinamese and Moluccans may not share the whole of Dutch culture, but at least they are familiar with it, and they speak the language well enough to be able to communicate. The most important point is the difference in lifestyle, in do's and don'ts, in ways of reacting. As we have seen, this yields real problems only in the case of the Creoles (both for them and for the prisons). For the Turks and Moroccans the situation is much more difficult. An uncertain future, a considerable lack of language skills and a fundamentally different culture can make the situation extremely problematic. And they have the advantage that there are usually one or more fellow countrymen among the inmates of the prison. It can readily be imagined that the situation for those who come from a long way off and are imprisoned without others of the same nationality is even more difficult. The idea that there is nowhere better to spend one's time than a Dutch prison can now be relegated to the realm of fairyland. When questioned on this, a number of Turkish and Moroccan prisoners answered that they would prefer to serve their sentences in their own country rather than in the Netherlands. This was influenced not only by the location of the family (in connection with visits) but also by the more informal atmosphere and the greater measure of freedom (as they perceived it) within the institution.

It can readily be imagined that the multicultural and multinational populations of the penal institutions cause problems to the authorities, and these have been receiving attention for a number of years now. The problem is that although it is realised that immigrants have difficulties, the tolerance of the Dutch prisoners places limits on the extra attention that can be devoted to them. Complaints have been heard that "those foreigners are being given privileges", especially if money suddenly becomes available for additional activities for the benefit of ethnic minorities - a complaint that is

in fact heard outside the prisons too.

Let us briefly review some of the problems found. For those who do not possess Dutch nationality the problem of deportation is highly important. Uncertainty as to whether prisoners will be able to remain in the Netherlands causes a good deal of tension. These prisoners are also excluded from various facilities during their imprisonment (e.g. placement in a halfway house, parole) until such time as it is clear that they can remain here. It has been found that there is more uncertainty than is necessary in a number of cases; to obviate this the Prisons and Aliens Affairs Directorates are currently working together on an information programme.

Food is a problem in every penal institution - even for natives. The problems for immigrants are in two areas: religion and taste. Moslems are not allowed pork, Hindus are forbidden to eat beef, and Jews have to eat kosher. The problem here is that to meet these needs costs money - money which then has to be taken from the food budget, i.e. from the other prisoners. As regards taste, Dutch cooking is very different from, say, Surinamese, Turkish or Moroccan cooking. The prisons try to cater for both religious needs and tastes as far as possible, which sometimes in fact results in strange combinations, e.g. when rice is substituted for potatoes but the sauerkraut remains. Because the prisons in the Netherlands are small (average population about 100) it is not possible to offer a choice (as seen by the present author in England, for example).

Religion is a similar - and related - problem. Since our survey was completed a scheme has been introduced whereby Imams (Islamic ministers) can visit prisoners on request. This scheme does not yet seem to meet all the needs - although it should be noted that the extent of these needs is not always clear. It should however be pointed out that we in the secularised West probably underestimate the role that religion can play for others. Not only the religion itself is important, so is the influence on daily life.

The problem of language is clear enough. It would seem worthwhile for every foreign prisoner who is going to remain here or has to serve a fairly long sentence to learn at least some Dutch. Until recently the Assimil method was the one used. When it was found, during our survey, that this method was not suitable because of the prisoners' level of education and training, another system was substituted. There are now adequate opportunities to learn Dutch in prison.

Lastly there is the difference in culture and lifestyle, in some cases combined with discrimination. The policy of the prisons is in general to distribute immigrants among the wings, with the proviso that - where this is possible - a few fellow countrymen are housed together. In this way an attempt is made to prevent groups forming on the one hand and isolation on the other. As we have seen, this coincides with the wishes of most immigrants. For the rest attempts are made to equip the staff with the necessary skills with the aid of training and courses. Although some improvement can be expected from this, it will not solve the problems entirely.

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[Voetnoten]

[paragraaf 2]

01 These and subsequent descriptions are taken mainly from Penninx, Sopemi, 1983.

02 In contradistinction to the situation under British law, for example, every Dutch passport holder has the right of abode in the Netherlands.

[paragraaf 3]

01 In this section the word "immigrants" is used to indicate that we are concerned with aliens and members of ethnic minorities. The ethnic minorities as such cannot be identified in the statistics.

02 See Justice and Prisons, 1983.

03 See RDC, Surveys of victims, 1974-1979.

04 See Van der Werff and Van der Zee-Nefkens on sentencing, and Berghuis and Tigges on pre-trial detention.

[paragraaf 4]

01 Taak en Toekomst van het gevangeniswezen in Nederland, pp. 13 and 68-9.

02 Both surveys in fact found that the size of the "foreigners" category is relatively stable, but the population mix as regards nationalities fluctuates.

03 Mesman Schultz and Methorst, 1976.

04 See literature, Van Immerzeel and Berghuis, and Van Immerzeel.

05 Detentie en identiteitsbeleving van Molukse gedetineerden, The Hague, Ministry of Justice, 1985.

[paragraaf 5]

01 These problems were mentioned both by prisoners and by the governors and staff of the prisons, albeit the emphasis differed at times.

[paragraaf 6]

01 See Reubsaet and others, pp. 28 and 36ff.

02 B. van der Linden, 1979.

03 Grapendaal, Van der Linden and Rook, 1984.

04 Consequently there is little injecting in the case of drug-takers, for instance.

05 This complaint was made on both sides.

END